

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

JAMES CURTIS HOUSE,)
)
Plaintiff)
)
vs.) Case No. 6:09-cv-02340-JHH-HGD
)
RACHEAL HARPER, et al.,)
)
Defendants)

ORDER

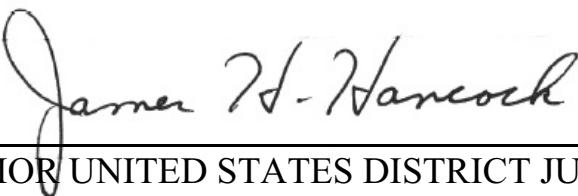
The magistrate judge filed a report on March 10, 2010, recommending that Jail Administrator Trent McClusky and the Walker County Jail System be dismissed without prejudice as defendants from this action. It was further recommended that plaintiff's Eighth Amendment claim against Sergeant Racheal Harper be referred to the magistrate judge for further proceedings. No objections have been filed by the plaintiff.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the magistrate judge's recommendation is ACCEPTED. It is therefore ORDERED, ADJUDGED,

and DECREED that the plaintiff's claims against Jail Administrator Trent McClusky and the Walker County Jail System are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915A(b)(1). It is further ORDERED that the plaintiff's Eighth Amendment claim against Sergeant Racheal Harper is REFERRED to the magistrate judge for further proceedings.

The Clerk is DIRECTED to serve a copy of this order upon the plaintiff.

DONE this the 5th day of May, 2010.



James H. Hancock
SENIOR UNITED STATES DISTRICT JUDGE